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OFFICE OF PETITIONS

In re Application of :
Chung Hsien Hsin : DECISION ON SECOND RENEWED
Application No. 10/621,963 : PETITION PURSUANT TO
Filed: July 16, 2003 : 37 C.F.R. § 1.137(B)
Attorney Docket Number: 2011123 :
Title: IMAGE SENSOR AND METHOD :
FOR MANUFACTURING THE SAME :
:

This is a decision on the second renewed petition filed February 7, 2008, pursuant to 37 C.F.R. § 1.137(b)¹, to revive the above-identified application.

This second renewed petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. § 1.113 in a timely manner to the final Office action mailed May 11, 2005, which set a shortened statutory period for reply of three months. On August 2, 2005, Petitioner attempted to submit a terminal disclaimer, but the Examiner did not accept this submission, as the attorney was not of record. Consequently, an advisory action was mailed

¹ A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

on August 15, 2005. No further submissions were received, and no extensions of time under the provisions of 37 C.F.R. § 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on August 12, 2005.

On January 17, 2006, a petition pursuant to 37 C.F.R. § 1.181(a) was submitted, along with a Power of Attorney. The petition was dismissed via the mailing of a decision on April 21, 2006.

An original petition pursuant to 37 C.F.R. § 1.137(b) was filed on June 26, 2006, along with the required petition fee, and this submission was dismissed via the mailing of a decision on February 16, 2007.

A renewed petition pursuant to 37 C.F.R. § 1.137(b) was filed on April 16, 2007, and was dismissed via the mailing of a decision on September 12, 2007.

With this second renewed petition, Petitioner has submitted a three-month extension of time to make timely this response, along with the proper statement of unintentional delay.

The Examiner has reviewed the terminal disclaimer that was submitted on April 16, 2007.

Petitioner has met requirements (1) - (3) of Rule § 1.137(b). The fourth requirement is not applicable.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the terminal disclaimer that was filed on April 16, 2007 can receive further processing in due course.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225². All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

² Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.